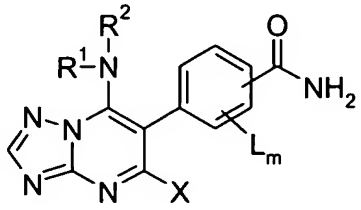
AMENDMENTS TO THE CLAIMS

1. (Original) A triazolopyrimidine of the formula I



I

in which the substituents are as defined below:

R^1, R^2 independently of one another are hydrogen, C_1-C_8-alkyl, C_1-C_8-haloalkyl, C_3-C_8-cycloalkyl, C_3-C_8-halocycloalkyl, C_2-C_8-alkenyl, C_2-C_8-haloalkenyl, C_3-C_6-cycloalkenyl, C_3-C_6-halocycloalkenyl, C_2-C_8-alkynyl, C_2-C_8-haloalkynyl or phenyl, naphthyl or a five- or six-membered saturated, partially unsaturated or aromatic heterocycle which contains one to four heteroatoms from the group consisting of O, N and S,

R^1 and R^2 together with the nitrogen atom to which they are attached may also form a five- or six-membered heterocyclyl or heteroaryl which is attached via N and may contain one to three further heteroatoms from the group consisting of O, N and S as ring members and/or may carry one or more substituents from the group consising of halogen, C_1-C_6-alkyl, C_1-C_6-haloalkyl, C_2-C_6-alkenyl, C_2-C_6-haloalkenyl, C_1-C_6-alkoxy, C_1-C_6-haloalkoxy, C_3-C_6-alkenyloxy, C_3-C_6-haloalkenyloxy, (exo)-C_1-C_6-alkylene and oxy-C_1-C_3-alkyleneoxy;

R^1 and/or R^2 may carry one to four identical or different groups R^a:

R^a is halogen, cyano, nitro, hydroxyl, C_1-C_6-alkyl, C_1-C_6-haloalkyl, C_1-C_6-alkylcarbonyl, C_3-C_6-cycloalkyl, C_1-C_6-alkoxy, C_1-C_6-haloalkoxy, C_1-C_6-alkoxycarbonyl, C_1-C_6-alkylthio, C_1-C_6-alkylamino, di-C_1-C_6-alkylamino, C_2-C_8-alkenyl, C_2-C_8-haloalkenyl, C_3-C_8-cycloalkenyl, C_2-C_6-alkenyloxy, C_3-C_6-haloalkenyloxy, C_2-C_6-alkynyl, C_2-C_6-haloalkynyl, C_3-C_6-alkynyloxy, C_3-C_6-haloalkynyloxy,
C_3-C_6-cycloalkoxy, C_3-C_6-cycloalkenyloxy, oxy-C_1-C_3-alkylenoxy, phenyl, naphthyl, a five- to ten-membered saturated, partially unsaturated or aromatic heterocycle which contains one to four heteroatoms from the group consisting of O, N and S,

where these aliphatic, alicyclic or aromatic groups for their part may be partially or fully halogenated or may carry one to three groups R^b:

R^b is halogen, cyano, nitro, hydroxyl, mercapto, amino, carboxyl, aminocarbonyl, aminothiocarbonyl, alkyl, haloalkyl, alkenyl, alkenyloxy, alkynyloxy, alkoxy, haloalkoxy, alkylthio, alkylamino, dialkylamino, formyl, alkylcarbonyl, alkylsulfonyl, alkylsulfoxyl, alkoxycarbonyl, alkylcarbonyloxy, alkylaminocarbonyl, dialkylaminocarbonyl,

alkylaminothiocarbonyl, dialkylaminothiocarbonyl, where the alkyl groups in these radicals contain 1 to 6 carbon atoms and the abovementioned alkenyl or alkynyl groups in these radicals contain 2 to 8 carbon atoms;

and/or one to three of the following radicals:

cycloalkyl, cycloalkoxy, heterocyclyl, heterocyclyloxy, where the cyclic systems contain 3 to 10 ring members; aryl, aryloxy, arylthio, aryl-C_1-C_6-alkoxy, aryl-C_1-C_6-alkyl, hetaryl, hetaryloxy, hetarylthio, where the aryl radicals preferably contain 6 to 10 ring members and the hetaryl radicals 5 or 6 ring members, where the cyclic systems may be partially or fully halogenated or substituted by alkyl or haloalkyl groups;

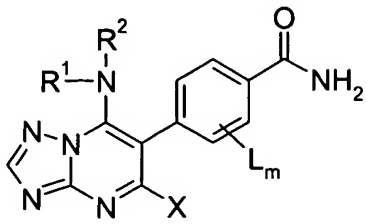
L is halogen, cyano, C_1-C_6-alkyl, C_1-C_4-haloalkyl, C_1-C_6-alkoxy, C_3-C_6-alkenyloxy or C_1-C_4-alkoxycarbonyl;

m is 1, 2, 3 or 4, where the groups L may be different if m is greater than 1;

X is halogen, cyano, C_1-C_4-alkyl, C_1-C_4-haloalkyl, C_1-C_4-alkoxy or C_1-C_2-haloalkoxy.

2. (Original) The compound of the formula I as claimed in claim 1, in which R^1 is not hydrogen.

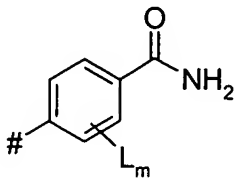
3. (Original) A compound of the formula I.A:



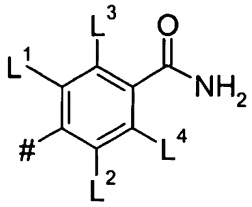
I.A

in which the variables are as defined in claim 1.

4. (Original) The compound of the formula I.A as claimed in claim 3 in which the phenyl group



corresponds to the group A:



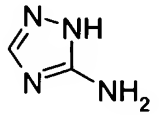
A

where

L^1 is halogen, halomethyl or C_1-C_4-alkyl;

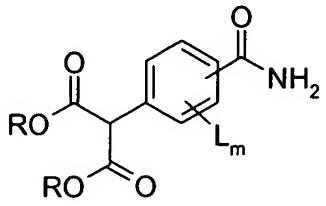
L^2, L^3, L^4 are hydrogen or halogen, C_1-C_4-alkyl, C_1-C_2-haloalkyl or C_1-C_4-alkoxy.

5. (Original) A process for preparing the compounds of the formula I as claimed in claim 1 in which X is halogen, cyano, C_1-C_4-alkyl, C_1-C_4-alkoxy or C_1-C_2-haloalkoxy, by reaction of 5-aminotriazole of the formula II



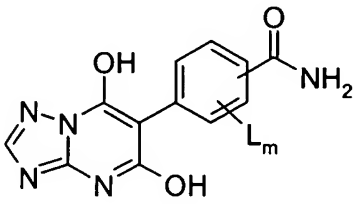
II

with phenymalonates of the formula III,



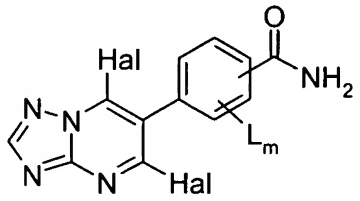
III

in which R is alkyl, with dihydroxytriazolopyrimidines of the formula IV,



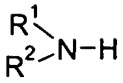
IV

halogenation to give the dihalo compounds of the formula V



V

and reaction of V with amines of the formula VI

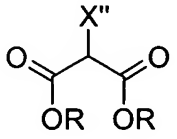


VI

to give compounds of the formula I in which X is halogen, if desired, to prepare compounds I in which X is cyano, C_1-C_4-alkoxy or C_1-C_2-haloalkoxy, reaction of compounds I in which X is halogen with compounds of the formula VII,

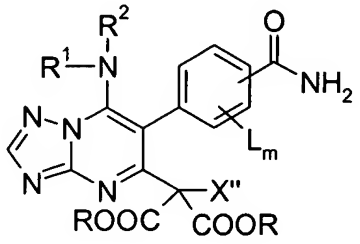
M-X' VII

which, depending on the group X' to be introduced, are inorganic cyanides, alkoxides or haloalkoxides and in which M is an ammonium, tetraalkylammonium, alkali metal or alkaline earth metal cation, and, if desired, to prepare compounds of the formula I as claimed in claim 1 in which X is alkyl, by reaction of the compounds I in which X is halogen with malonates of the formula VIII,



VIII

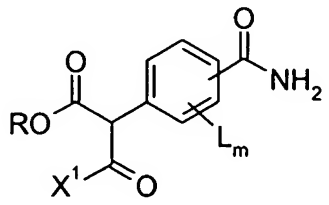
in which X" is hydrogen or C_1-C_3-alkyl and R is C_1-C_4-alkyl, to give compounds of the formula IX



IX

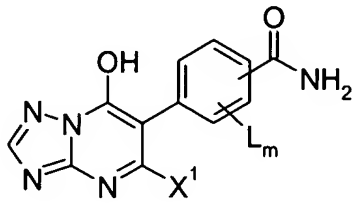
and decarboxylation to give compounds I in which X is alkyl.

6. (Original) A process for preparing the compounds of the formula I as claimed in claim 1 in which X is C_1-C_4-alkyl or C_1-C_4-haloalkyl, by reaction of 5-aminotriazole of the formula II as set forth in claim 5 with keto esters of the formula IIIa,



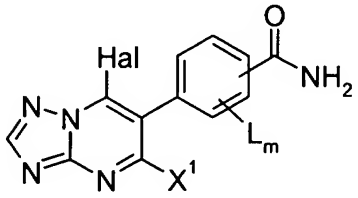
IIIa

in which X^1 is C_1-C_4-alkyl or C_1–C_4–haloalkyl and R is C_1-C_4-alkyl, to give 5-alkyl-7-hydroxy-6-phenyltriazolopyrimidines of the formula IVa



IVa

halogenation of IVa to give 7-halotriazolopyrimidines of the formula Va

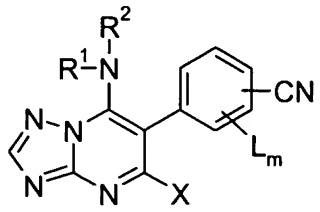


Va

and reaction of Va with amines of the formula VI as set forth in claim 5 to give compounds I in which X is C_1-C_4-alkyl or C_1–C_4–haloalkyl.

7. (Currently Amended) A compound of the formula IV, IVa, V or Va as set forth in ~~claims 5 and 6~~ claim 5.

8. (Original) A process for preparing compounds of the formula I as claimed in claim 1 by reacting 6-cyanophenyltriazolopyrimidines of the formula XI



XI

in the presence of sulfuric acid or in a polyethylene glycol/NaOH system or with urea/hydrogen peroxide.

9. (Original) A fungicidal composition, comprising a solid or liquid carrier and a compound of the formula I as claimed in claim 1.

10. (Original) Seed, comprising 1 to 1000 g of a compound of the formula I as claimed in claim 1 per 100 kg.

11. (Original) A method for controlling phytopathogenic harmful fungi, which method comprises treating the fungi or the materials, plants, the soil or seed to be protected against fungal attach with an effective amount of a compound of the formula I as claimed in claim 1.

12. (New) A compound of the formula IV, IVa, V or Va as set forth in claim 6.